

**FILED**

January 07, 2025

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY: \_\_\_\_\_ NM  
DEPUTY

**THERESA SALAZAR, as  
representative of The Estate of Rexina  
Linan-Juarez,**

**Plaintiff,**

v.

**CIVIL NO. SA-22-CV-01223-OLG**

**BEXAR COUNTY, JAVIER  
SALAZAR, Sheriff Bexar County,  
Texas, and FERMIN GUZMAN,  
Deputy, Bexar County Sheriff's Office,**

## Defendants.

## **ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court has considered United States Magistrate Judge Elizabeth S. Chestney's Report and Recommendation (R&R), filed December 9, 2024, concerning Defendants' Motion to Dismiss Plaintiff's First Amended Complaint (Dkt. No. 33). (*See* R&R, Dkt. No. 39.)

Any party who desires to object to a Magistrate Judge's findings and recommendations must serve and file specific written objections within fourteen days after being served with a copy of the findings and recommendations. FED. R. CIV. P. 72(b)(2). The parties through counsel, were electronically served with a copy of the R&R on December 9, 2024, and the time to object has passed. Because no party has objected to the Magistrate Judge's findings or recommendations, the Court reviews the R&R for clear error. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989); *cf.* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which an objection is made.") After such review, the Court finds that the R&R is neither clearly erroneous nor contrary to law.

Accordingly, the Court **ADOPTS** the Magistrate Judge's R&R (Dkt. No. 39) and, for the reasons set forth therein, Defendants' Motion to Dismiss (Dkt. No. 33) is **GRANTED** and Plaintiff's claims in this case are **DISMISSED**.

This case is **CLOSED**.

It is so **ORDERED**.

SIGNED this 7 day of January, 2025.



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ORLANDO L. GARCIA  
United States District Judge